

S 390015 incoming

BONNEVILLE BANK
1675 NORTH 200 WEST, P.O. BOX 400
PROVO, UTAH 84603-0400



WILLIAM E. DAY

521 EAST 1910 SOUTH
OREM, UT 84058
PH. 801-225-4440

2074

DATE 2 June -07

97-252-1243

PAY
TO THE ORDER
OF

Four Hundred Eighty Four & 00/100

DOLLARS

\$ 484.00

Security Features
Included.
Details on Back.

Dept. of Natural Resources

[Signature]

MP

PWE

*original sent to accounting
mg*

RECEIVED

JUN 06 2007

Div. of Oil, Gas & Mining



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil Gas and Mining

JOHN R. BAZA
Division Director

May 4, 2007

CERTIFIED RETURN RECEIPT
7005 2570 0000 4801 5105

William E. Day
521 East 1910 South
Orem, UT 84058

Subject: Proposed Assessment for Cessation Order #MC2007-01-02, William E. Day, Temple Strike Mine, S/039/015, Sanpete County, Utah

Dear Mr. Day:

The undersigned has been appointed by the Division of Oil, Gas & Mining as the Assessment Officer for assessing penalties under R647-7.

Enclosed is the proposed civil penalty assessment for the above referenced cessation order. The cessation order was issued by Division Inspector, Lynn Kunzler, on April 5, 2007. Rule R647-7-103 et. seq. has been utilized to formulate the proposed penalty for the violation as follows:

- MC-07-01-02- Violation 1 of 1 \$484

The enclosed worksheet specifically outlines how the violation was assessed.

By these rules, any written information which was submitted by you or your agent within fifteen (15) days of receipt of this Cessation Order has been considered in determining the facts surrounding the violation and the amount of penalty. If the violation has not been abated at the time of the proposed assessment, the assignment of good faith points cannot be made. If you feel that you are eligible for good faith, you should supply relevant information to the assessment officer within 15 days of the violation abatement date so that it can be factored into the final assessment.

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DIV. OF OIL, GAS & MINING



Otherwise, under R647-7-106, there are two informal appeal options available to you:

1. If you wish to informally appeal the fact of the Cessation Order, you should file a written request for an Informal Conference within thirty (30) days of receipt of this letter. This conference will be conducted by the Division Director, Associate Director or assigned conference officer. This Informal Conference is distinct from the Assessment Conference regarding the proposed penalty.
2. If you wish to review the proposed penalty assessment, you should file a written request for an Assessment Conference within thirty (30) days of receipt of this letter.

If you are also requesting a review of the fact of violation, as noted in paragraph one, the assessment conference will be scheduled immediately following that review.

If a timely request for review is not made, the fact of the cessation order will stand, the proposed penalty(ies) will become final, and the penalty(ies) will be due and payable within thirty (30) days of the final assessment. Please remit payment to the Division, mail c/o Vickie Southwick.

Sincerely,

Daron R. Haddock
Assessment Officer

Enclosure: Worksheets

cc: Vickie Southwick, Exec. Sec.

Vicki Bailey, Accounting

P:\GROUPS\MINERALS\WP\M039-Sanpete\S0390015-Templestrike\non-compliance\proAssessment-CO.doc

Mr. Kunzler is a very helpful man.

To Whom it May Concern:
During the Fall of 2006 I met with
Mr. Kunzler at the Local Market in Mayfield, Ut.
We talked about the Requirements of determining
the Area of disturbance. I understood He would
look in His Files & Contact me Since He had
measured the disturb mine Area that summer.

Page 2 of 6

I saw Him again when He arrived at the mine site
To Redetermine the disturbed Area. Sincerely, J. L. Haddock